PATENT COOPERATION TREATY

PCT

TRANSLATION INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference M/44241-PCT	FOR FURTHER ACTION	N See Form PCT/II	PEA/416					
International application No.	International filing date (day)	/month/year) Priority date (day	/month/year)					
PCT/EP2004/010749	24.09.2004	26.09.2	003					
International Patent Classification (IPC) o	national classification and IPC							
C07C51/265, V07V51/31, B01J23/22, B01J27/198, B01J37/02								
Applicant BASF AKTIENGESELLSCHAFT								
 This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 								
2. This REPORT consists of a total	of 4	_ sheets, including this cover sheet.						
3. This report is also accompanied	by ANNEXES, comprising:							
a. (sent to the applican	and to the International Bureau) a	total of 1	sheets, as follows:					
sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).								
sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental								
Box. b. (sent to the Internati			(-)\					
b (sent to the Internati	mai Bureau oniy) a totai of (Indica	te type and number of electronic carri	er(s))					
related thereto, in com	, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see							
related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).								
4. This report contains indications	relating to the following items:							
Box No. I Basis of	f the report							
Box No. II Priorit	7							
Box No. III Non-e:	tablishment of opinion with regard	to novelty, inventive step and industr	rial applicability					
Box No. IV Lack o	f unity of invention							
BON I TO: 1	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement							
Box No. VI Certain	documents cited							
Box No. VII Certain	defects in the international applica	ntion						
Box No. VIII Certain observations on the international application								
Date of submission of the demand	Date o	f completion of this report						
Name and mailing address of the IPEA/EP		Authorized officer						
Facsimile No.	Teleph	none No.						

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/EP2004/010749

Вох	No. I	Basis of the report							
1.		regard to the language, this report is bated under this item.	ased on the international application in the language in which it was filed, unless otherwise						
			report is based on translations from the original language into the following language ch is the language of a translation furnished for the purposes of:						
		international search (Rule 12.3	nd 23.1(b))						
		publication of the international	pplication (Rule 12.4)						
		international preliminary exami	ation (Rule 55.2 and/or 55.3)						
2.	rece		regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the ing Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to port):						
		the international application as original	lly filed/furnished						
	\boxtimes	the description:							
		pages 1-7	as originally filed/furnished						
		pages*	received by this Authority on						
		pages*	received by this Authority on						
	\boxtimes	the claims:							
		nos.	as originally filed/furnished						
			as amended (together with any statement) under Article 19						
			04.07.2005 with letter received by this Authority on of 04.07.2005						
			received by this Authority on						
		the drawings:							
		sheets	as originally filed/furnished						
			received by this Authority on						
			received by this Authority on						
	П		ble(s) – see Supplemental Box Relating to Sequence Listing.						
3.	$\overline{\Box}$								
3.	ш	The amendments have resulted in the							
			the claims, nos.						
		the drawings, sheets/figs							
4.		any table(s) related to sequence	(some of) the amendments annexed to this report and listed below had not been made, since						
4.	Ш		d the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).						
		the description, pages							
		the claims, nos.							
		the drawings, sheets/figs							
		the sequence listing (specify):							
		any table(s) related to sequence	isting (specify):						
*	If ite	m 4 applies, some or all of those sheets	may be marked "superseded."						

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Вох				ticle 35(2) with regard to novelty, inventive suporting such statement	tep or industrial applicability;	
1.	Statement					
	Novelty (N)		Claims	1-6		YES
			Claims			_ NO
	Inventive st	ep (IS)	Claims	1-6		_ YES
			Claims			_ NO
	Industrial ap	oplicability (IA)	Claims	1-6		YES
			Claims			_ NO
2.	Citations and e	xplanations (Rule 7	0.7)			

Reference is made to the following documents:

- D1: US-B1-6 586 361 (LINDEN GERD ET AL)
 1 July 2003 (2003-07-01)
- D2: US-A-5 792 719 (EBERLE HANS-JUERGEN ET AL)
 11 August 1998 (1998-08-11)
- D3: EP-A-1 181 097 (CONSORTI UM ELEKTROCHEM IND)
 27 February 2002 (2002-02-27)

The present application meets the requirements of PCT Article 33(1) for the following reasons:

D1 (claims 1, 11 and 12; example 1), D2 (column 3, lines 21-38; claims 1, 5 and 10) and D3 (claims 1 and 10; examples 12-19; table 1; paragraph [0007]) disclose methods for producing catalysts for the production of phthalic acid anhydride from o-xylene or naphthalene by means of gas phase oxidation.

D1 discloses a production method involving the
application of a vanadium-containing solution. D2
and D3 disclose production methods involving the

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Box No. V
Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

application of TiO₂- and V₂O₅-containing

suspensions to a support. The subject matter of claim 1 (and therefore of dependent claims 2-6) is novel over the closest prior art in D2 and D3, since D2 and D3 do not indicate the particle size of the V_2O_5 . The examples in the present application show that the claimed production method is more efficient than that of D2 or D3 (lower V_2O_5 losses).

The subject matter of claims 1-6 is thus novel and involves an inventive step in relation to D1-D3.